



PUBLIC NOTICE

Federal Communications Commission
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DA 14-1332

Released: September 15, 2014

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION
OF CERTAIN ASSETS OF PRAIRIE TELEPHONE CO., INC.
BY PANORA COMMUNICATIONS COOPERATIVE**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 14-152

Comments Due: September 29, 2014

Reply Comments Due: October 6, 2014

On September 3, 2014, Prairie Telephone Co., Inc. (Prairie) and Panora Communications Cooperative (Panora) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer certain assets of Prairie, located in its Yale, Iowa exchange, to Panora.¹

Prairie, an Iowa corporation, provides incumbent local exchange carrier (LEC) service to approximately 588 access lines in three exchanges, the Yale exchange in Guthrie and Dallas Counties in central Iowa, the Farragut exchange in Fremont County in southwestern Iowa, and the Pacific Junction exchange in Mills County in southwestern Iowa.² Prairie is wholly owned by Breda Telephone Corp. (Breda), an Iowa corporation that provides incumbent LEC service in the Breda, Lidderdale, and Macedonia exchanges in central and southwestern Iowa. Applicants state that no person or entity owns or controls more than five percent of Breda.

Panora is an Iowa cooperative association that provides incumbent LEC service to approximately 1,558 lines in the Panora exchange in Guthrie and Dallas Counties in Iowa. Panora resells long distance toll services to customers in and around its Panora exchange. Its affiliate, Panora Cooperative Cablevision Association, provides cable television services in the communities of Panora, Linden, and

¹ 47 C.F.R § 63.03; *see* 47 U.S.C. § 214.

² Westside Independent Telephone Company (Westside), a wholly owned subsidiary of Breda, provides incumbent LEC service to the Westside exchange in west central Iowa. BTC, Inc., a wholly owned subsidiary of Prairie, provides competitive LEC service to the Carroll exchange in west central Iowa and resells long distance toll services to the areas served by Breda, Prairie, and Westside.

Yale in central Iowa.³ Applicants state that no person or entity owns or controls more than one percent of Panora's membership and voting interests.

Applicants state that Prairie's Yale exchange is adjacent to Panora's exchange. Because of the adjacent service areas the Applicants have identified, this application is not entitled to presumptive streamlined treatment under section 63.03(b) of the Commission's rules.⁴

Pursuant to the terms of the proposed transaction, Panora will acquire the remaining telecommunications assets in Prairie's Yale exchange. Previously, in 2010, Panora acquired approximately 35 access lines from Prairie in a 2.1 square mile portion of the Yale exchange.⁵ Applicants state that a grant of this application will serve the public interest, convenience, and necessity because Panora, an established rural provider, will acquire the remainder of the Yale exchange, which will make possible improved maintenance and other cost savings for all customers. Applicants further state that Panora will offer Yale customers the option to become cooperative members.

Domestic Section 214 Application Filed for the Acquisition of Certain Assets of Prairie Telephone Co., Inc. by Panora Communications Cooperative, WC Docket No. 14-152 (filed Sept. 3, 2014).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a non-streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before September 29, 2014**, and reply comments **on or before October 6, 2014**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://fjallfoss.fcc.gov/ecfs2/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau,
tracey.wilson@fcc.gov;

³ Guthrie Telecommunications Network, Inc., a subsidiary of Panora, provides competitive telecommunications services in and around the community of Guthrie Center in central Iowa. Panora also has equity interests in other telecommunications entities in central Iowa.

⁴ 47 C.F.R. § 63.03(b).

⁵ *Domestic Section 214 Application Filed for the Acquisition of Certain Assets of Prairie Telephone Co., Inc. d/b/a Western Iowa Networks by Panora Communications Cooperative*, WC Docket No. 09-212, Public Notice, 25 FCC Rcd 112 (Wireline Comp. Bur. 2010). Applicants state that they will file a joint petition for waiver of the Part 36 study area boundary freeze, 47 C.F.R. Part 36, to remove the remaining portion of the Yale exchange from Prairie's Iowa study area and include it in Panora's study area. Any action on this domestic section 214 application is without prejudice to Commission action on other related pending applications or petitions.

- 2) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov; and
- 3) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

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The proceeding in this Notice shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁶ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information, please contact Tracey Wilson at (202) 418-1394 or Jodie May at (202) 418-0913.

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⁶ 47 C.F.R. §§ 1.1200 *et seq.*